

**FEDERAL PUBLIC DEFENDER**

NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION  
160 WEST SANTA CLARA STREET, SUITE 575  
SAN JOSE CALIFORNIA 95113

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**CONFIDENTIAL - ATTORNEY WORK PRODUCT**

**MEMORANDUM TO ATTORNEY**

**TO:** Cynthia C. Lie  
**FROM:** Catherine Ward Neece *CWN*  
**DATE:** December 18, 2007  
**RE:** United States v. Elmer Ochoa-Alvarez  
CR 07-00434 RMW  
**WITNESS:** Ronald Ochoa-Alvarez  
(415) 368-9941

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On November 30, 2007, and December 3, 2007, I contacted Ronald Ochoa-Alvarez at the telephone number listed above. Also on the calls was Spanish interpreter, Thelma Oros Fotedar.

Ronald was advised that I am an investigator with the Office of the Federal Public Defender which has been appointed to represent his brother, Elmer Ochoa-Alvarez, in his case currently pending in the United States District Court, Northern District of California, San Jose Division. Ronald agreed to speak to me.

Ronald said that he is a younger brother of the defendant, Elmer Ochoa-Alvarez. He said that he has been living in California for two years. He works in construction.

He said that he has nine brothers and one sister. He is the second from the youngest child. Ronald said that he recalls as a child in Honduras that he and his nine brothers had to work very hard. They worked clearing the land, and tending to livestock. They would begin work early in the morning at 5:00 a.m., and work until late at night, Ronald said.

Their father had a very bad temper, Ronald said, and he beat them when they were children. Their father was especially violent with all of the older boys in his family, Ronald said.

He also treated their mother very badly, Ronald said. Since he was one of the youngest children, Ronald said that his father was not so hard on him.

Ronald recalls that his brother, Elmer, had a lot of trouble with a gang called the Mara when Elmer was in school in Honduras. Elmer was so afraid of the Mara that he dropped out of high school when he was sixteen years old, Ronald said.

Ronald said that he heard of the time that their father hung Elmer from the rafters of the barn by a rope around his neck, but that he was just a little boy when it happened, and he does not have an independent memory of it.

Ronald said that he recalls when Elmer was stabbed by the Mara. He recalls that Elmer was hospitalized at the general hospital in Tegucigalpa, Honduras, near where his family lives, for about a week. Ronald said that he did not know what the reason was for the Mara to stab Elmer.

He was just a little boy when his brother, Marcos died, Ronald said. Everything that he knows about it he has heard from his family. Marcos' death was very hard on their mother, he said.

Their oldest brother, Ermelo, is deaf. He never went to school, Ronald said. Javier, the second oldest, only went to school until about the fourth grade. He lives near their mother in Honduras. Ceaser lives with him in San Francisco, California, Ronald said. Osman lives in North Carolina.

Their brother, Alexis, has had a job as a private security guard for many years, Ronald said. He lives in Tegucigalpa, Honduras. Currently, Alexis guards a man named Pepe Lobo who ran unsuccessfully for the presidency of Honduras in around 2006. The problem that Elmer had with the Mara, involved this man that Alexis was guarding, Ronald said.

Their brother, Danery, who is the youngest of the family, is a police lieutenant in the border patrol which guards the border between Honduras and El Salvador. He is the only one of his siblings to have completed school.